

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BOSTON AND MAINE CORPORATION and
SPRINGFIELD TERMINAL RAILWAY
COMPANY,

Plaintiffs,

v.

TOWN OF WESTFORD, WESTFORD BOARD
OF HEALTH, DARREN R. MACCAUGHEY,
SANDY COLLINS, R.N., ZAC CATALDO,
TODD LOBO, TOM MAHANNA, JOANNE
MARTEL, JOSEPH GUTHRIE, JR.,
MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION and
ROBERT W. GOLLEDGE, JR.,

Defendants.

05 10806 RCL

Case No. _____

RECEIPT # 63711
AMOUNT \$ 250.00
SUMMONS ISSUED 11
LOCAL RULE 4.1 -
WAIVER FORM -
MCF ISSUED -
BY DPTY. CLK. M.P.
DATE 4/22/05

**COMPLAINT FOR DECLARATORY JUDGMENT,
INJUNCTIVE RELIEF AND DAMAGES**

MAGISTRATE JUDGE JLA

Plaintiffs Boston and Maine Corporation ("B&M") and Springfield Terminal Railway Company ("STR") (collectively "Plaintiffs") seek a declaratory judgment and injunctive relief preventing the Town of Westford (the "Town"), the Westford Board of Health (the "Board"), the individual members of the Board of Health, and Robert W. Golledge, Jr., Commissioner of the Massachusetts Department of Environmental Protection ("DEP") (collectively "Defendants") from enforcing 310 CMR 7.11(2) because it illegally regulates the Plaintiffs' railroad operations, and damages. For their Complaint, Plaintiffs state as follows:

Jurisdiction and Venue

1. This Court has subject matter jurisdiction over Plaintiffs' claims pursuant to 28 U.S.C. §§ 1331, 1337 and 1343.

2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because the Defendants reside in this judicial district and all defendants reside in the same State.

Statement of Case and Parties

3. Plaintiff, B&M is a Delaware corporation with its principal place of business at Iron Horse Park, North Billerica, Massachusetts 01862. B&M provides interstate rail freight service and is subject to the jurisdiction of the United States Surface Transportation Board ("STB").

4. Plaintiff, STR is a Vermont corporation with its principal place of business at Iron Horse Park, North Billerica, Massachusetts 01862. STR provides interstate rail freight service and is subject to the jurisdiction of the STB.

5. Defendant, Town is a municipal corporation organized under the laws of the Commonwealth of Massachusetts.

6. Defendant, Board is an agency of the Town.

7. Upon information and belief, Defendants, Zac Cataldo, Todd Lobo, Tom Mahanna, Joanne Martel, and Joseph P. Guthrie are the members of the Board and Defendants Sandy Collins, R.N. and Darren R. MacCaughey are members of the Board's staff. Plaintiffs sue these defendants in their official capacity.

8. Defendant, DEP is an agency of the Commonwealth of Massachusetts and Defendant, Robert W. Golledge, Jr. is Commissioner of DEP. DEP has promulgated the

regulation here complained of, 310 CMR 7.11(2). Plaintiff sues Mr. Golledge in his official capacity.

9. This action arises under (A) the Commerce and Supremacy Clauses of the United States Constitution, (B) the Interstate Commerce Act, as amended by the ICC Termination Act of 1995 ("ICA") (49 U.S.C. §§ 701-727, 10101-19108), (C) the Federal Railway Safety Act ("FRSA") (49 U.S.C. §§ 20101 *et seq.*), (D) the Declaratory Judgment Act (28 U.S.C. § 2201), and (E) the Civil Rights Act of 1871 (42 U.S.C. § 1983).

10. Plaintiffs seek declaratory and injunctive relief preventing and restraining Defendants from unlawfully regulating, in contravention of the Commerce and Supremacy Clauses of the United States Constitution, the FRSA and the ICA, Plaintiffs' operation of their railroad, including the use and operation of their locomotives for railroad transportation. Plaintiffs also seek damages for the harm caused them by the actions of Defendants.

Facts

11. B&M owns the railroad right-of-way that runs through the Town (the "Line"). Pursuant to an agreement between B&M and STR, approved by the STB's predecessor, the Interstate Commerce Commission, STR is the operator on the Line. B&M, STR and their affiliates, collectively, are informally known as the "Guilford Rail System." "Guilford Rail System," however, is not a legal entity.

12. The Line is a part of the STR main freight line, which runs from Rotterdam Junction, New York to Mattawankeag, Maine. The main freight line is the primary source of rail transportation for the movement of freight in New England and is a part of the interstate rail network.

13. On or about March 31, 2005, the Board sent a letter (the "Letter") addressed to "Guilford Rail System," signed by defendant, Darren R. MacCaughey, alleging that "Guilford Rail System" is in violation of Section 7.11(2) of Title 310 of the Massachusetts Code of Regulations. Section 7.11(2) provides:

"Diesel Trains.

"(a) No person owning or operating a diesel powered locomotive shall cause, suffer, allow or permit said locomotive to be operated in a manner such as to cause or contribute to a condition of air pollution.

"(b) No person shall cause, suffer, allow or permit the unnecessary foreseeable idling of a diesel locomotive for a continuous period of time longer than 30 minutes ...

"(c) 310 CMR 7.11(2)(a) and 7.11(2)(b) are subject to the enforcement provisions specified in 310 CMR 7.52"

The Letter purported to order, pursuant to 310 CMR 7.52 and Section 142B of Chapter 111 of the Massachusetts General Laws, "Guilford Rail System" to cease and desist the idling of locomotives on the Line.

14. The portion of the Line that passes through the Town, (the "Location"), supports system-wide rail traffic. For example, the Location is only a short distance from two major rail yards owned by B&M that are known as "Lowell Yard" and "Ayer Yard" and are located in Lowell and Ayer, Massachusetts, respectively. Each day at least four trains of approximately one-half mile to one mile in length travel through Lowell Yard. Further, Ayer Yard houses a large intermodal facility that is not only serviced by STR but also supports the rail traffic of an additional interstate rail carrier.

15. The Location is subject to extensive congestion due to the amount of rail traffic in the area. Operational considerations regarding the movement of rail traffic and the safety of

railroad employees require, at times, the parking of locomotives at the Location in order to relieve congestion, and to allow trains to move with dispatch when the conditions permit.

COUNT I

Preemption by the ICA and the Supremacy Clause

16. Plaintiffs repeat and reallege the allegations of paragraphs 1 through 15 as if fully set forth here.

17. The ICA grants the STB exclusive jurisdiction over virtually all matters involving rail transportation.

18. The ICA expressly gives the STB exclusive jurisdiction over railroad transportation and operations:

[T]he Board has jurisdiction over transportation by rail carrier that is ...by railroad...

The jurisdiction of the Board over ... transportation by rail carriers, and the remedies provided in this part with respect to rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, services, and facilities of such carriers; and the construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching or side tracks, or facilities ... is exclusive. Except as otherwise provided in this part, the remedies provided under this part with respect to regulation of rail transportation are exclusive and preempt the remedies provided under Federal or State law.

49 U.S.C. § 10501(a)(1)(A) and (b).

19. The ICA defines “railroad” to include the “road used by a rail carrier and owned by it or operated under an agreement; and ... ground, used or necessary for transportation.” 49 U.S.C. § 10102(6).

20. The ICA further defines the term “transportation” to include “a locomotive ... or equipment of any kind related to the movement of passengers or property, or both, by rail ... and services related to that movement, including receipt, delivery ... storage, handling and

interchange of passengers and property ...” 49 U.S.C. § 10102(9).

21. The ICA expressly preempts the regulation of railroad transportation by local and state agencies and instrumentalities.

22. The Defendants’ proposed enforcement of 310 CMR 7.11(2) will illegally regulate railroad operations in that Plaintiffs will be forced to re-route a significant portion of traffic away from the Town or significantly adjust railroad operations to prevent idling for more than thirty minutes, which will likely result in Plaintiffs’ violation of federal law and regulations.

23. Under color of state law, the Defendants have issued an order to cease and desist the idling of locomotives in direct contravention of the ICA’s grant of exclusive jurisdiction to the STB.

24. Defendants’ threatened actions will deprive the Plaintiffs of their rights under ICA and the Supremacy Clause of the United States Constitution, causing Plaintiffs substantial and irreparable harm, including, *inter alia*, unduly burdening and hindering Plaintiffs’ railroad activities in interstate commerce and preventing Plaintiffs’ compliance with federal law.

COUNT II

Preemption by FRSA and the Supremacy Clause

25. Plaintiffs repeat and reallege the allegations of paragraphs 1 through 24 as if fully set forth here.

26. The FRSA requires the Secretary of Transportation to promulgate a nationally uniform regulatory scheme in all areas of railroad safety.

27. The FRSA expressly provides that:

The Secretary of Transportation ...shall prescribe regulations and issue orders for every area of railroad safety...

Laws, regulations, and orders related to railroad safety ... shall be nationally uniform to the extent practicable.

49 U.S.C. §§ 20103, 20106.

28. The FRSA expressly provides that the Secretary of Transportation shall prescribe regulations and issue orders for every area of railroad safety. The Secretary of Transportation has delegated this power to the Federal Railroad Administration ("FRA"). The FRA develops, administers and enforces railroad safety regulations.

29. The Letter threatens to regulate Plaintiffs' compliance with railroad safety regulations and the safe operation of railroad right-of-way. For example, each train and each car in the train is required to receive a "Class I" brake test at various "locations." *See* 49 C.F.R. § 232.205. These tests must be conducted prior to movement of the train. The engine must be idling during these tests because the locomotive(s) provide the air for the rest of the train. The tests almost invariably take longer than thirty minutes to conduct. Plaintiffs cannot comply with the FRA brake testing regulations without violating 310 CMR 7.11(2).

30. Defendants' actions deprive the Plaintiffs of their rights under FRSA and the Supremacy Clause of the United States Constitution, causing Plaintiffs substantial and irreparable harm, including, *inter alia*, hindering Plaintiffs' business activities in interstate commerce and preventing Plaintiffs' compliance with federal law.

COUNT III

Violation of Dormant Commerce Power

31. Plaintiffs repeat and reallege the allegations of paragraphs 1 through 30 as if fully set forth here.

32. The Constitution grants Congress the power to regulate interstate commerce, implicitly limiting states' authority to regulate such commerce. U.S. CONST. art. 1, § 8, cl. 3.

33. The Line is a part of the STR main freight line and the interstate rail network.

34. Defendants have ordered the Plaintiffs to cease and desist the idling of locomotives. This restriction directly regulates the operation of locomotives used in rail transportation and therefore, regulates interstate commerce, discriminates against interstate commerce, and unduly burdens interstate commerce in excess of any putative local benefits.

35. Defendants' threatened actions will deprive the Plaintiffs of their rights under the Commerce and Supremacy Clause of the United States Constitution, causing Plaintiffs substantial and irreparable harm, including, *inter alia*, hindering Plaintiffs' business activities in interstate commerce.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that this Court—

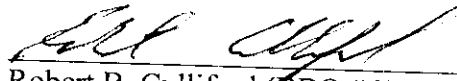
(1) enter judgment, pursuant to 28 U.S.C. § 2201, declaring Defendants' attempt to regulate the use or operation of locomotives used in railroad transportation preempted by the ICA, FRSA and the Supremacy Clause of the Constitution, and in violation of the Dormant Commerce Power;

(2) enter an order, pursuant to 28 U.S.C. § 1651 and Rule 65 of the Federal Rules of Civil Procedure, permanently enjoining the Town, the Board, any division or subdivision of the Town, and the Commonwealth of Massachusetts from regulating the use or operation of locomotives used in railroad transportation;

(3) award the Plaintiffs their damages due to Defendants' unlawful actions;

- (4) award the Plaintiffs their costs, including reasonable attorneys' fees, pursuant to 42 U.S.C. § 1988; and
- (5) grant such other relief as may be just and proper.

Respectfully Submitted,


Robert B. Culliford (BBO #638468)
Katherine E. Potter (BBO #651726)
Iron Horse Park
North Billerica MA 01862
Tel. 978-663-1029

Eric L. Hirschhorn
Winston & Strawn LLP
1700 K Street, N.W.
Washington DC 20006
Tel. 202-282-5706

Counsel for Plaintiffs
Boston and Maine Corporation
Springfield Terminal Railway Co.

April 15, 2005

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Boston and Maine Corporation and
Springfield Terminal Railway Company,

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Middlesex
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Robert B. Culliford, Esq.
Iron Horse Park
No. Billerica, MA 01862 (978) 663-1020

DEFENDANTS

Town of Westford, Westford Board
of Health, Darren R. MacCaughey, Sandy Collins, R.N.,
Zac Cataldo, Todd Lobo, Tom Mahanna, Joanne Martel,
Joseph Guthrie, Jr., Massachusetts Department of
Environmental Protection and Robert W. Gollidge, Jr.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Middlesex

(IN U.S. PLAINTIFF CASES ONLY)

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED

ATTORNEYS (IF KNOWN)

05 10806 RCL

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Defaulted & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input checked="" type="checkbox"/> 450 Commerce-ICC Rates, etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities-Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3413 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1995ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS — Third Party 26 USC 7609		

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

49 USC §10501(b), 49 USC §20106 Preemption of State Regulation of Railroad Operations.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

JUDGE Reginald C. Lindsay

DOCKET NUMBER

04-12069 RCL

DATE

SIGNATURE OF ATTORNEY OF RECORD

Robert B. Culliford, Esq.

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) Boston and Maine Corporation, et al v. Town of Westford, et als.
2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).
- ___ I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- ___ II. 195, 368, 400, 440, 441-444, 540, 550, 625, 710, 720, 730, 740, 790, 791, 820, 830, 840, 850, 890, 892-894, 895, 950.
- X III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- ___ IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- ___ V. 150, 152, 153.
3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(E)).
Boston and Maine Corp., et al vs. Town of Chelmsford, et als, Docket No. 04-12069 RCL
4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT? N/A
5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? N/A
IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY? (SEE 28 USC 2403) _____
6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC 2284? N/A
7. DO ALL PARTIES IN THIS ACTION RESIDE IN THE CENTRAL SECTION OF THE DISTRICT OF MASSACHUSETTS (WORCESTER COUNTY) - (SEE LOCAL RULE 40.1(C)). YES NO OR IN THE WESTERN SECTION (BERKSHIRE, FRANKLIN, HAMPDEN OR HAMPSHIRE COUNTIES)? - (SEE LOCAL RULE 40.1(D)). YES NO
8. DO ALL OF THE PARTIES RESIDING IN MASSACHUSETTS RESIDE IN THE CENTRAL AND/OR WESTERN SECTIONS OF THE DISTRICT? YES NO (a) IF YES, IN WHICH SECTION DOES THE PLAINTIFF RESIDE? _____
9. IN WHICH SECTION DO THE ONLY PARTIES RESIDING IN MASSACHUSETTS RESIDE? Eastern
10. IF ANY OF THE PARTIES ARE THE UNITED STATES, COMMONWEALTH OF MASSACHUSETTS, OR ANY GOVERNMENTAL AGENCY OF THE U.S.A. OR THE COMMONWEALTH, DO ALL OTHER PARTIES RESIDE IN THE CENTRAL SECTION NO OR WESTERN SECTION NO

(PLEASE TYPE OR PRINT) Robert B. Culliford, Esq.
ATTORNEY'S NAME _____
ADDRESS Iron Horse Park, No. Billerica, MA 01862
TELEPHONE NO. (978) 663-1029

(Category.frm - 09/92)